

been altered by this Amendment. Reconsideration of claims 1-30 in view of the foregoing amendment and the following remarks is respectfully requested.

I. FORMAL MATTERS:

A. The Office Action objects to claims 8 and 9 due to minor informalities.

Applicants respectfully submit that the foregoing amendment to claim 8 obviates the objection to claims 8 and 9. Withdrawal of these objections is respectfully requested.

B. The Office Action objects to Figs 4, 18 and 19, asserting these figures have a number of typographical errors. Applicants respectfully submit the revised Figs. 4, 18 and 19 obviate the grounds for objection. Withdrawal of the objection to the drawings is respectfully requested.

II. CLAIMS 1-30 DEFINE PATENTABLE SUBJECT MATTER

A. Item 5 of the Office Action rejects claims 1-4, 10-17, 20-25 and 28-30 under 35 U.S.C. §103(a) as obvious over U.S. Patent 5,815,201 to Hashimoto et al. (hereinafter "Hashimoto") in view of U.S. Patent 4,660,102 to Kawakami et al. (hereinafter "Kawakami"). This rejection is respectfully traversed.

The Office Action asserts that the combination of Hashimoto and Kawakami results in the subject matter of claims 1-4, 10-17, 20-25 and 28-30. Applicants respectfully submit that this combination does not result in a control device that controls the sound effect output device so that the preset sound effect will not be output with the sounds recorded by the sound recording device when the release switch initiates the predetermined process, as recited in claims 1-15 claims, as similarly recited as the control means set forth in claims 16-23, or as similarly recited in the controlling step set forth on claims 24-30.

That is, with respect to claims 1-15, the control device controls a sound output device that will output a sound effect, such as, in the case of a digital camera, the shutter click, so

that the preset sound effect will not be output with the sounds recorded by the sound recording device when the release switch initiates the predetermined process.

Similarly to the subject matter recited in claims 1-4, 10-17, 20-25 and 28-30, Hashimoto discloses a digital camera that is capable of capturing both images and audio. However, nowhere does Hashimoto teach, disclose, suggest, or even recognize the use of a sound effect output device. Additionally, as clearly disclosed in Hashimoto, the sounds recorded by Hashimoto's camera are not used by any device within Hashimoto's camera, other than to record, compress, store the sounds, and to output the compressed sound files to an external device. Page 1, lines 24-30 of the present specification acknowledges that digital cameras that are capable of recording sound are well known in the art. The Office Action also admits that Hashimoto "fail [sic: fails] to specifically disclose a sound effect output device that outputs a preset sound effect when the release switch is operated." See Office Action, Item 5, lines 8-9.

The Applicants respectfully submit that Kawakami does not make up for the deficiencies of Hashimoto as outlined above. Kawakami discloses a tone generating device that can be arranged to produce a pseudo-shutter sound when the recording operation is initiated. See Kawakami, col. 4, lines 44-49. This device simply alerts a user that the picture taking process has been initiated and completed by producing a pseudo-shutter click sound.

In fact, Kawakami discloses, at col. 4, lines 50-54, that the pseudo-sound is not recorded. Nor does Kawakami teach or disclose recording sounds or muting the pseudo-sounds when recording a sound. Only the video signal is recorded for playback. Thus, there is simply no way that Kawakami can teach or disclose a control device that prevents the preset sound effect from being output with a sound recorded using the sound recording device when the release switch is initiated, as set forth in claims 1-30.

At best, the combination of Hashimoto and Kawakami teaches a camera that is both able to record sounds, for whatever reason, and that is further able to generate a pseudo-sound when the shutter release button is pressed.

As neither Hashimoto nor Kawakami teaches, discloses nor suggests the control device recited in claims 1-15, the control means recited in claims 16-23 or the controlling step recited in claims 24-30, the combination of Hashimoto and Kawakami fails to teach, disclose or suggest every feature of claims 1-4, 10-17, 20-25 and 28-30. Thus, the combination of Hashimoto and Kawakami fails to render obvious the subject matter of claims 1-4, 10-17, 20-25 and 28-30. Withdrawal of the rejections under 35 U.S.C. §103(a) as obvious over the combination of Hashimoto and Kawakami is respectfully requested.

B. Item 6 of the Office Action rejects claims 5-9, 18, 19, 26 and 27 under 35 U.S.C. 103(a) as obvious over Hashimoto and Kawakami and in further in view of U.S. Patent 5,576,758 to Arai et al. (hereinafter "Arai"). This rejection is respectfully traversed.

Applicants respectfully submit that Arai does not make up for the deficiencies of Hashimoto and Kawakami as outlined above with respect to claims 1-30. Arai in no way discloses a control device that control the sound effect output device so that the preset sound effect would not be output with the sounds recorded by the sound recording device.

Arai discloses a digital electric still camera in which image data is compressed before being recorded, and in which the data compression rate is selected by operating by a picture mode button. Accordingly, Arai fails to teach or disclose every feature of claims 1, 16 and 24. Therefore, the combination of Hashimoto, Kawakami and Arai fails to render obvious the subject matter recited in claims 5-9, 18, 19, 26 and 27. Withdrawal of the rejections of claims 5-9, 18, 19, 26 and 27 under 35 U.S.C. §103(a) as obvious over the combination of Hashimoto, Kawakami and Arai is respectfully requested.

III. CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that claims 1-30 are in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited. Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Stephen J. Roe
Registration No. 34,463

JAO:CCH/mdw

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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